

Section 1

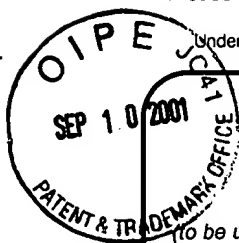
PTO/SB/21 (08-00)

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/851,372

Filing Date May 7, 2001

First Named Inventor FORMAN, Michael R.

Group Art Unit 3736

Examiner Name Unassigned

Total Number of Pages in This Submission

Attorney Docket Number 020534000500

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/ Incomplete Application

☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

☒ Assignment Papers with Recordation Cover Sheet

☒ Drawing(s) - 6 sheets

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition

☐ Petition to Convert to a Provisional Application

☒ Power of Attorney

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

> Statement under 37 CFR 3.73(b)

> Letter to Official Draftsman

> Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name

Townsend and Townsend and Crew LLP
NENA BAINS

Reg. No. 47,400

Signature

[Handwritten Signature]

Date

05 SEPTEMBER 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

NANCY PIZZO

Signature

Nancy Pizzo

Date

09/05/01

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PA 3168314 v2

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1171**Complete if Known**

Application Number	09/851,372
Filing Date	May 7, 2001
First Named Inventor	FORMAN, Michael R.
Examiner Name	UNASSIGNED
Group Art Unit	3736
Attorney Docket No.	020534-000500US

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Nena Bains	Registration No. (Attorney/Agent)	47,400
Signature		Telephone	650-326-2400
		Date	5 SEPTEMBER 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/851,372	05/07/2001	Michael R. Forman	20534000500

CONFIRMATION NO. 2385

20350

TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

FORMALITIES LETTER



OC000000006288938

11/06/2001 SMINASS1 00000016 201430 09851372

01 FC:203 288.00 CH

Void date: 11/06/2001 SMINASS1
11/06/2001 SMINASS1 00000014 201430 09851372
01 FC:103 288.00 CR

Date Mailed: 07/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/06/2001 SMINASS1 00000014 201430 09851372
01 FC:103 288.00 CH

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$463.
 - ~~\$288~~ for ~~32~~ total claims over 20. *64 over 20.*
 - ~~\$40~~ for ~~1~~ independent claims over 3. *Only 3.*
 - \$135 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 883.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

09/11/2001 EABUBAK1 00000041 201430 09851372

01 FC:201 355.00 CH
02 FC:203 576.00 CH
03 FC:204 135.00 CH
04 FC:205 65.00 CH

Adjustment date: 11/06/2001 SMINASS1 09851372
09/11/2001 EABUBAK1 00000041 201430
02 FC:203 576.00 CR

*A copy of this notice **MUST** be returned with the reply.*

13 

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents
BOX: MISSING PARTS
Washington, D.C. 20231

PATENT

Atty. Docket No.: 20534-000500

On 5 SEPTEMBER 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Nancy Pizzo
NANCY A. PIZZO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FORMAN, MICHAEL R.

Application No.: 09/851,372

Filed: 7 May 2001

For: COMBINATION IONIZING RADIATION AND
RADIOSENSITIZER DELIVERY DEVICES FOR
INHIBITING HYPERPLASIA

Examiner: Unassigned

Art Unit: 3736

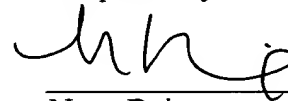
**LETTER TO OFFICIAL
DRAFTSPERSON**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby submits 6 sheets with 11 formal drawings to be made of record in the above-identified case.

Respectfully submitted,



Nena Bains
Reg. No. 47,400

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200 / Fax: (415) 576-0300
NB:nap
PA 3060081 v11

